

REMARKS/ARGUMENTS

Claims 5 – 11 are currently pending. Claims 1 – 4 are cancelled. No new matter has been introduced into the claims. Claims 5 and 11 are a combination of cancelled claims 1 and 2 with the additional element of the uronic content of the polysaccharide. This element is supported by the disclosure on page 6, lines 9 – 12, of the application. This portion of the application also supports claims 6 and 7 providing additional ranges for the uronic acid content. Claims 8 – 10 are supported by the disclosure on page 4, lines 25 – 35 discussing the starch content for the quality enhancer.

Applicants respectfully disagree with the Examiner and traverse her rejections with the following remarks.

Rejection of claims 1 – 4 under 35 U.S.C. § 103(a)

The Examiner rejects claims 1 – 4 and asserts that the invention is obvious in view of the combination of U.S. Patent 4,880,645 to Carpenter et al. (“Carpenter”) and Japanese Patent Application Publication 2000-273101 to Takahashi et al. (“Takahashi”). The Examiner specifically asserts that Takahashi teaches that pectin derived from white-potatoes is more flavorful, which would motivate a person having ordinary skill in the art to use pectin derived from potatoes in the pectin solution in Carpenter who uses a sweetening solution containing pectin. Applicants respectfully disagree.

The motivation claimed by the Examiner does not exist. Takahashi merely states that the pectin derived from white potatoes stabilizes acidic protein foods more favorably than pectin derived from fruit. There is no discussion of flavor. Stabilization of acidic protein foods is needed for example, in packaged liquids, such as milk, to maintain a uniform consistency of the liquid. Also, the purpose of the pectin in Carpenter’s sweetening solution is to prevent the cereal sprayed with the sweetener from forming large clumps in the cereal box. There is no suggestion that Takahashi’s pectin that is suitable for protein foods would be successful in a sugar solution to prevent cereal flakes from sticking together.

In addition to failing to provide an appropriate motivation for combining the references, the main independent claim, claim 5, now includes an additional element that is not present in either reference. Applicants now claim a quality enhancer for cooked rice, noodles, or pasta having a polysaccharide with a uronic acid content of 0.003 – 1.0%

There is no discussion of the appropriate weight percent of uronic acids in a polysaccharide derived from white-potatoes needed to enhance the quality of a cooked rice, noodle, or pasta in either Carpenter or Takahashi. As previously discussed, Carpenter is concerned with keeping cereal flakes from sticking together and Takashi teaches a pectin and process for deriving pectin from white potatoes. Applicants have discovered a correlation between the uronic acid content of a white potato derived polysaccharide and the ability to prevent cloudy water forming during reconstitution and improve luster and loosening after storage of cooked rice, noodles and pasta products. Neither reference discusses the uronic content needed to obtain such a quality enhancer for these products.

Because there is no motivation to combine the references relied upon by the Examiner, and the references fail to disclose every element of Applicants' invention reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

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CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the claims presented herewith are patentable over the prior art of record and in condition for allowance. Applicant respectfully solicits prompt action thereon. If any questions remain, the Examiner is invited to phone the undersigned attorney.

Respectfully submitted,

/Antranig Baronian/
Antranig Baronian
Reg. No. 58,501
Paul & Paul
2000 Market Street
Suite 2900
Philadelphia, PA 19103
Tel. (215) 568-4900

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